

Notice of Allowability

Application No.

09/401,937

Examiner

Ronald Abelson

Applicant(s)

HUME ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/19/2004.
2. ☒ The allowed claim(s) is/are 1, 4, 9, 12-15, and 19-28; renumbered as 1-17.
3. ☒ The drawings filed on 16 January 2003 and 23 September 1999 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 5/10/04, 7/16/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 11/19/04
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this amendment was given in a telephone interview with Jack Friedman on 2/10/2005.

Claim 8 has been canceled.

Reasons for Allowance

2. Regarding independent claims 1, 4, 9, and 19 - 24, Gossman (US 6,181,935) teaches a method and apparatus for a telephone system (fig. 6) of the common channel signaling and control type having signaling network means for handling switching and control signals (fig. 6: SS7) separate from voice signal (fig. 6 box 4), the signaling network means adapted to respond to and

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handle calls from wireless subscribers (fig. 6 box 1) pertaining to requests for services (fig. 6 box 9)

Gossman teaches creating transaction signals (TCAP, col. 29 line 36) by the signaling network in response to calls to the telephone system by a wireless subscribers (col. 29 lines 34-37).

Gossman teaches conveying said transaction signals to a message server means (fig. 6 box 7). See message signaling from (fig. 6 box 3) to (fig. 6 box 7).

Gossman teaches creating, processing, and routing message signals by the message server means (fig. 6 box 7) in response to said transaction signals (fig. 6, col. 11 lines 37-42). Note, SS7 transaction signals are input to the gateway server (fig. 6 box 7) and the gateway server processes the SS7 signals and creates and routes TCP/IP signals.

Gossman teaches connecting at least one service node (fig. 6 box 9) to the message server means (fig. 6 box 7) in order for the at least one service node to provide service responsive to the subscriber's request for service (col. 11 lines 37-42).

Gossman teaches routing responses from said at least one service node (fig. 6 box 9) to the signaling network (fig. 6 box 3) to provide the service requested by the subscriber. Note, the examiner maintains communication between the signaling network

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and service nodes is bi-directional. If this were not the case, the service nodes would not be able to send information back to the signaling network.

Although Gossman teaches multiple service nodes (fig. 6 box 9), the reference is silent on selecting a subset of the service nodes of the network through execution of a node reduction algorithm in response to a request for service by a subscriber of the wireless subscribers, said subset of service nodes being limited to only those service nodes of the network which serve the subscriber's logical telephone company area for services which the subscriber has subscribed to, said logical telephone company area not being defined in terms of a logical criterion that includes the subscriber's geographical area; and selecting at least one of the service nodes of the subset of the service nodes to process said message signals by performing arbitration and prioritization among the nodes in order to provide service responsive to the subscriber's request for service.

Ebata (US 6,513,061) teaches selecting a subset of the service nodes of the network through execution of a node reduction algorithm in response to a request for service by a subscriber of the wireless subscribers (in consideration of the loads and the location of the client, col. 4 lines 59-62), said

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subset of service nodes being limited to only those service nodes of the network which serve the subscriber's logical telephone company area for services which the subscriber has subscribed (specifying a logical node name for providing a target service, col. 4 lines 22-25) said logical telephone company area not being defined in terms of a logical criterion that includes the subscriber's geographical area (specifying a logical node name for providing a target service, col. 4 lines 22-25); and selecting at least one of the service nodes of the subset of the service nodes to process said message signals by performing arbitration and prioritization among the nodes in order to provide service responsive to the subscriber's request for service (in consideration of the loads and the location of the client, col. 4 lines 59-62).

Regarding claims 1, 4, and 24, nothing in the prior art of the record teaches or fairly suggests interface adapted to assemble responses from applications provided by the service nodes, said node interface means further adapted to use said assembled responses to construct service lists for delivery to the message service means for performing said arbitration, in combination with all the other limitations listed in the claim.

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Regarding claim 9, nothing in the prior art of the record teaches nor fairly suggests the steps of sending, sending, selecting, and communicating as detailed by the applicant, in combination with all the limitations listed in the claim.

Regarding claim 19, nothing in the prior art of the record teaches nor fairly suggests a database of pending inquiries, in combination with all the limitations listed in the claim.

Regarding claim 20, nothing in the prior art of the record teaches nor fairly suggests a database of logged in nodes, in combination with all the limitations listed in the claim.

Regarding claim 21, nothing in the prior art of the record teaches nor fairly suggests a list of logged in applications, in combination with all the limitations listed in the claim.

Regarding claim 22, nothing in the prior art of the record teaches nor fairly suggests a transaction information manager, in combination with all the limitations listed in the claim.

Regarding claim 23, nothing in the prior art of the record teaches nor fairly suggests the node interface means assembling

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responses from applications provided by the service nodes, in combination with all the limitations listed in the claim.

Conclusion

1. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (571) 272-3165. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Ronald Abelson
Examiner
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